

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue of: U.S. Patent No. 5,767,115 :
Applicants: Rosenblum et al. :
Serial No.: To Be Assigned : Group Art Unit: 1202
Filed: To Be Assigned : Examiner:
Granted: June 16, 1998 :
For: Hydroxy-Substituted Azetidinone :
Compounds Useful As :
Hypocholesterolemic Agents :

BOX REISSUE APPLICATION
Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY REMARKS

Sir:

Prior to examination, please consider the following remarks.

This reissue application is filed to correct an error concerning the failure to appreciate the full scope of the invention by not including claims of narrower scope directed to one of the most preferred compounds disclosed in the specification. The compound is 1-(4-fluorophenyl)-3(R)-[3(S)-(4-fluorophenyl)-3-hydroxypropyl]-4(S)-(4-hydroxyphenyl)-2-azetidinone. No new matter has been added to the specification. The reissue application does not seek to enlarge the scope of any of the claims of the original '115 patent. Thus, newly added